

**Town of Kinderhook
Planning Board Workshop
February 14, 2013**

Approved

Minutes

The Meeting of the Town of Kinderhook Planning Board was held on Thursday, February 14, 2013 beginning at 7:03pm at the Kinderhook Town Hall, 4 Church Street, Niverville, NY. The Meeting was called to order by the Chairwoman, Mary Keegan-Cavagnaro. The Roll was taken by the Secretary.

A. Call Roll

Present:

Mary Keegan-Cavagnaro, Chairpwoman
Paul Freeman, Attorney
Patrick Prendergast, Engineer
Chris Simonsen
Jake Samascott
Guy Rivenburgh
Peter Haemmerlein
William Butcher
Daniel Weiller
Dale Berlin
Nataly Dee, Secretary

Excused:

Cheryl Gilbert

Absent:

None

B. Correspondence

1. Review of Minutes:
January 10, 2013
January 17, 2013

Minutes will be reviewed pending next week's voting meeting. One correction was noted and will be made.

Additions to the Code were distributed.

A Notice of Public Hearing resulting from an Application for Subdivision in Stuyvesant of lands that are partially in Kinderhook was received from the Stuyvesant Planning Board. Stuyvesant has taken lead agency on the project.

C. Public Hearings

1. James Egnasher – Lot Line Adjustment- Public Hearing scheduled for February 21, 2013 at 7:05pm.

D. Old Business

1. Drake Petroleum – Site Plan Review

Parker Finley, design consultant, and Matt Bowe, Land Surveyor, representing the applicant, addressed the Board. Plans of the project were distributed to and reviewed by the Board.

At the last meeting, the Board had requested that the applicant contact Mr. Visconti with the Department of Transportation. While contact was made, and Mr. Visconti reviewed the plans and made some preliminary comments on a checklist, the applicant is awaiting a full review, and would like to meet with Mr. Visconti to discuss the project in more detail. Opinion of the DOT is necessary before proceeding. Traffic flow and the number of fueling positions was discussed.

Another issue addressed was that of lighting. The height of the lighting was indicated on the plans. Mr. Prendergast asked about the wattage of the existing lighting and whether the new lighting would be the same. Mr. Finley will inquire.

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Mr. Kirsch informed Mr. Bowe that the property is zoned B-1, a multiple family overlay. That information will be included on the plans.

It was noted that the garbage dumpsters on the site have never had proper enclosure. This matter should be rectified.

As the property is located on a state road it is required to go before the County Planning Board for review. A motion would be required for this referral.

2. Josh Flood – 108 Hunter Drive – Application for Accessory Apartment

The applicants addressed the Board. The Site plan was distributed to and reviewed by the Board. Application and \$50 fee was submitted. The Department of Health said the applicant would need to increase the existing septic. There is an existing 1,000 gallon tank, and that would need to be increased to 1,500 gallons. The location of the leach field is of question. The applicant will consult with the Building Department regarding the permissibility of a “breezeway”. Additional exterior lighting will be added to the plan. Any issues regarding setbacks were put to rest with the new survey.

With approval from Building Department, a motion to have a Public Hearing in March may be in order at next week’s meeting.

3. Maret Halinen – Mile Hill Road – Application for Special Use Permit for a Bed & Breakfast

Represented by Peter VanAlstyne, Land Surveyor. Site Plans were distributed to and reviewed by the Board. Mr. VanAlstyne reviewed the property and project. The property is 6.4 acres. According to the applicant only one bedroom is allocated to the business. In this regard, the property meets to requirements of the Code. There is sufficient acreage for additional rooms. The parking area is asphalt. There is a two car garage. The applicant owns only one car. Parking regulations were discussed in regard to there being sufficient parking spaces available. Suggestions were made to increase the available parking. No changes to exterior lighting were made.

Fees to be submitted were discussed. \$250 for Special Use Permit including Site Plan Review.

E. New Business

1. Novak Farms LLC – 2135 US Route 9 – Minor Subdivision

Mr. Freeman recused himself.

Dan Russell, Land Surveyor, representing Novak, submitted the application, distributed plans and explained the project. The property is owned by two brothers in an LLC. The applicants are seeking to create a three lot subdivision. No development of the land is planned at this time. The Department of Health provided perk tests, results are on file. The applicant needs to consult with the Department of Transportation regarding proposed driveway. A Motion to set a Public Hearing for March may be in order next week, pending a letter of approval from DOT.

Fees of \$600 were submitted for the subdivision. Recreation fees of \$200 remain pending.

2. Cedar Flow Excavating/Deerfield Crossings – County Route 28 – Major Subdivision

Represented by Peter VanAlstyne. Plans were distributed to and reviewed by the Board. Mr. VanAlstyne addressed the Board and explained the project. It is a large open hay field to the north- east of the intersection of Route 28 and 28B. The project would create 6 lots including the conserved area. The property is abutted in the back by the railroad tracks. The area is three acre zoned, multi-family overlay. The lots vary in size but average around 1.5 acres.

Perk tests have been conducted. The project engineer is looking at soils and earth disturbance. Entrance permits from the Columbia County Department of Transportation have been granted. Well sites and septic systems have been approved by the Department of Health will be shown on the plans. An Erosion and Sediment Control Plan is being developed and will be submitted, along with a Notice of Intent. It was noted that the land is owned by Howard Commander (sp?). For the record, Mr. Prendergast mentioned he works for Howard Commander. Ms. Keegan-

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Cavagnaro asked about proximity to the railroad tracks, inquiring about the setbacks, were they 50'? Mr. VanAlstyne will confirm.

Mr. Freeman reviewed the checklist, indicating specific items that need to be submitted. The issue of road frontage and the wordage of such in the Conservation Subdivision was discussed.

Fees of \$2400 were submitted which included \$600 in recreation fees.

3. Tierra Farms – Route 203 - Citco Station

Darren Grout addressed the Board. Mr. Gunther Fishgold was also in attendance and addressed the Board.

Tierra Farms is taking over the lease on the Citco Station on the corner of 28 and 203 (Tax map id 33.8.1.9). They would like to change the focus of this gas station, convenience store. They will continue to sell gas, but intend to stock the store with healthy snack foods, baked goods, etc. No changes to the structure other than exterior cosmetics are being planned. They have spoken with the Building Department, but wanted to approach the Planning Board to make sure there were no site plan requirements given the scope of their proposed project. They would like to change the exterior to hemlock, similar to the siding at Tierra Farms. They propose to change the parking area moving it to the side of the building. They would like to install a window on the back side of the building, behind the counter, to sell ice cream. It is not a change of use. The current owner is Reginder (sp?). Tierra Farms is assuming the lease in March.

Mr. Freeman noted that it is a non-conforming use and read from the code addressing the conditions of such. The area is zoned R2. It was determined that there were no site plan review requirements and as such they are free to deal directly with the Building Department.

F. ZBA Opinions

None

G. Liaisons

1. Village Planning Boards – Nothing new to report
2. Town Board – Nothing new to report
3. Comprehensive Plan Review Committee – Final review is under way. Looking at setting the Public Hearing for March, maybe.
4. NYSEG Project – Nothing new to report

H. Other

Public Comment:

None

Meeting adjourned at 9:00pm.

Respectfully submitted,

Nataly Dee. Secretary